

2

Docket No. G-067US03REG  
Serial No. 09/603,665Remarks

Claims 79-132 are pending in the subject application and are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants note that the "Disposition of Claims" section on the Office Action Summary page does not indicate that claims 128-132 are also pending in the subject application. Applicants note that claims 128-132 were added in their Amendment Under 37 C.F.R. §1.111 dated June 17, 2004 and Applicants respectfully request that the Examiner confirm the entry and status of claims 128-132 as pending and/or allowed in the next Action in the subject application. Applicants also acknowledge the Examiner's indication that claims 79, 81-84, 87-98, 103, 106-120, and 122-125 are free of the prior art. Applicants further note that claims 81-84 are indicated as standing rejected in the last Office Action Summary in this matter. Confirmation of the allowable nature of these claims (81-84) is respectfully requested.

Applicants wish to thank the Examiner for the courtesy of the telephonic discussions regarding this application in which the remaining rejection over Bowcock *et al.* was discussed. As indicated in that teleconference, Bowcock *et al.* fails to teach an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO:5 and a glutamic acid at an amino acid position corresponding to position 2017 of SEQ ID NO:5 (emphasis added). Accordingly, it was respectfully submitted that the reference did not anticipate claims 80 e), 85, 86 m), 99, 100, 101, 102, 104, 105, 121, 126, and 127.

Applicants note that an Information Disclosure Statement (IDS) was filed in this matter on November 22, 2004 which inadvertently indicated that the IDS was being filed prior to final rejection in this matter. As the Examiner will note, a final rejection was issued in this matter on October 22, 2004. However, Applicants respectfully request that the Examiner consider the cited reference, which is related to high-throughput yeast two-hybrid systems, and return an initiated IDS in this matter with the next response.

Claims 80, 85, 86, 99-102, 104, 105, 121, 126, and 127 remain rejected under 35 U.S.C. § 102(b) as anticipated by Bowcock *et al.* (WO 98/12327). The Office Action argues that the Bowcock *et al.* reference teaches an isolated and recombinant polypeptide comprising a contiguous

J:\GEN\067.US03.REG\Amend-Resp\Amend.final.doc/DNB/sl

span of at least 10 amino acids or at least 100 amino acids that contains an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO: 5. Applicants respectfully assert that the Bowcock *et al.* reference does not anticipate the claimed invention as the reference fails to teach a contiguous span of at least 40 amino acids of SEQ ID NO: 5 that comprises an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO:5 and a glutamic acid at an amino acid position corresponding to position 2017 of SEQ ID NO:5 (emphasis added). Rather, it appears that the cited reference teaches a glycine at the position that would correspond to amino acid position 2017 of the claimed contiguous span of at least 40 amino acids. Thus, it is respectfully submitted that claims 80 c), 85, 86 m), 99, 100, 101, 102, 104, 105, 121 c), 126, and 127 cannot be anticipated by Bowcock *et al.* since the reference fails to teach a contiguous span of amino acids that comprises an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO:5 and a glutamic acid at an amino acid position corresponding to position 2017 of SEQ ID NO:5.

Turning to the rejection of claim 100 over Bowcock *et al.*, it is respectfully submitted that this claim is improperly rejected over Bowcock *et al.* as the Office Action fails to indicated that the cited reference teaches any of the limitations of claim 100 which recites a composition according to claim 86a), 86b), 86c), 86d), 86e), 86f), 86g), 86h), 86i), 86j), 86k), or 86l). Thus, the cited reference fails to teach a polypeptide that has an amino acid sequence comprising: a) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1 to 200; b) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 201 to 400; c) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 401 to 600; d) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 601 to 800; e) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 801 to 1000; f) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1001 to 1200; g) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1201 to 1400; h) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1401 to 1629; i) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1694, wherein the amino acid at position 1694 of SEQ ID NO:5 is an asparagine; j) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1854, wherein the amino acid at position 1854 of SEQ ID NO:5 is a valine; k) at least 10 contiguous amino acids of SEQ ID NO:5 spanning position(s) 1967, wherein the amino acid at position 1967 of SEQ ID NO:5 is an asparagine; or l) at least 10

4

Docket No. G-067US03REG  
Serial No. 09/603,665

contiguous amino acids of SEQ ID NO:5 spanning position(s) 2017, wherein the amino acid at position 2017 of SEQ ID NO:5 is a glutamic acid. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested.

In view of the foregoing remarks, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik  
A Professional Association  
P.O. Box 142950  
Gainesville, FL 32614-2950

FCE/si